

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Ben Livsey)
MEETING DATE: July 11, 2007

ITEM: 8

SUBJECT: **Development of a Stream and Wetland Systems Protection Policy – Status Report**

DISCUSSION: At the July meeting, we will provide an overview of a *Stream and Wetlands Systems Protection Policy* that we are currently working on. The Policy is being developed jointly with the North Coast Regional Water Board and will serve as a model for other Regional Water Boards. We propose to establish this Policy by incorporating key components into the Basin Plan. We expect to bring a Basin Plan amendment to the Water Board for its consideration in spring 2008.

Wetlands, headwater channels (small channels that form at the top of a watershed), riparian areas, and floodplains have experienced significant declines in their historic coverage and condition in our Region. The Policy will focus on protecting and restoring the physical characteristics of stream and wetland systems (e.g., stream channel shape and slope, riparian shade cover, floodplain width, and flow regimes) in order to protect beneficial uses. The Bay Area may experience larger winter storms, more runoff from individual storm events, more droughts, and less water supply due to global climate change. To protect against related impacts, the policy will identify actions to protect and restore flood peak attenuation and groundwater recharge functions.

Policy Scope

The proposed Basin Plan amendment will likely include new beneficial uses and water quality objectives, and an implementation plan that sets forth actions needed to attain the new water quality standards. The implementation plan will provide flexibility to account for a wide range of watershed conditions (e.g., degree of urbanization, watershed size, and surrounding land uses) and will establish a general framework for avoiding, minimizing, and mitigating water quality impacts. Key components of the policy currently being drafted include:

- Two new beneficial uses: Flood Peak Attenuation/Flood Water Storage and Water Quality Enhancement. By designating these beneficial uses, the Water Board will be recognizing the benefits provided by waterbodies that receive and store natural surface drainage and reduce the flood peak downstream, and support natural enhancement or improvement of water quality;

- New narrative water quality objectives aimed at protecting key physical characteristics and functions of stream and wetland systems, such as watershed hydrologic processes, stream channel equilibrium, connectivity between stream channels and floodplains, riparian vegetation, and the physical, chemical, and biological structure of wetlands;
- Guidance on how to identify and assess the condition of streams and wetlands and their associated riparian areas;
- Requirements on impact avoidance, minimization, and compensatory mitigation for impacts to stream and wetland beneficial uses;
- Numeric performance criteria to assess attainment of new water quality objectives and guide implementation;
- A framework for implementing stream and wetland system protection goals through locally developed watershed plans;
- A framework for developing general Waste Discharge Requirements for targeted activities, such as restoration or flood control maintenance projects;
- A framework to address cumulative impacts at a watershed level and facilitate permit streamlining by clarifying permit requirements and creating more consistent and predictable requirements; and
- Non-regulatory tools and incentives (e.g., grants, state revolving fund loans) for responsible land-use planning, watershed planning, and restoration of streams, wetlands, and riparian areas.

Stakeholder Outreach

Recognizing the significance of this Basin Planning effort, we engaged stakeholders early on in the policy development process. In 2006, we conducted several stakeholder outreach events including a series of California Environmental Quality Act scoping meetings, and a field trip to three stream sites in El Cerrito and Richmond. This past February, we conducted a workshop that focused on potential implementation actions. These public meetings were well attended by a diverse group of stakeholders and offered meeting participants an opportunity to learn about the current status of Policy development and to provide comments. While some stakeholders have expressed concern that implementation requirements could be overly burdensome, there has been overwhelming support to move forward with a strong policy to protect and restore our stream and wetland system resources.

RECOMMEN- DATION:

Information only – no action needed.